

THE EAST ANGLIAN.

AUGUST, 1865.

NOTES.

EXTRACTS FROM CHURCHWARDENS' BOOKS. —No. 11.

Bungay Saint Mary's (continued from vol. II, p. 151).

(King Edward the Sixth.)

1547

Receipts.

It. Rec. for certayn ymags yt were solld	xiiij <i>d</i> .
Jt. Rec. of ye torehrevys wyard & bartlett for the Rowell	iijs. iiij <i>d</i> .

Payments.

Jt. paid for charge At blyborough	xvj <i>d</i> .
Jt. paid to John Packe for Defacyn ye wyn- dows & for ye whytyng of ye table of St. Christou'* (St. Christopher)	vjs. viiiij <i>d</i> .
Jt. paid for a Rope to ye Sancts bell	viiij <i>d</i> .
It. for Stagyng Agaynst ye table† in ye churche	xij <i>d</i> .
Jt. paid to hempson for Skrapying ye Xpofer (Christopher)	xvid.
Jt. paid to hempson for makyn ye stage more strong	xij <i>d</i> .
Jt. for mending ye lambe ‡ to ye pascall	id.
Jt. for washing ye warke daye Abs	ij <i>d</i> .
"takyn down ye tabernacles" §	
Jt. to John Wyllys ffor ij dayes werke	xij <i>d</i> .

[Several similar entries follow.]

* One of the fresco paintings on the wall, or tablet affixed thereto, with which our churches were then adorned.

† Probably a tablet of wood fastened against the wall, on which sentences from scripture, &c., were painted, as the table of St. Christopher, before named.

‡ The pascal candle was lighted on Holy Saturday, and burned till Ascension Day. It was the emblem of our Saviour. The lamb also was an emblem of our Saviour, as the eating of the pascal lamb was an antetype of the Lord's supper.

§ Niches.

Receipts.

1548

Jt. Rec. for certayn tabernacles & Imags
wh war taken owt of ye church^e *

xxvs. vob.

Payments.

Jt paid to edward molle for makyn A lectione † for the bible

ij*d.*

Jt. paid for naile to ye same lectione

j*d.*

Jt. paid for A chene & A locke to the same

x*d.*

Jt. paid to hempson for hangyn ye clothe
befor ye highe Alter

i*d.*

Jt. paid to Packe for whityng A tabernacle

iiij*d.*

Jt. paid to hempson for takyn down ye stage

iiij*d.*

Jt. paid for expences At blyburghe at ye
visitac'on

xx*d.*

Jt. paid for expence at eye

vii*d.*

Jt. paid to patten for Racen ye church
Walls †

vij*d.*

Jt. paid to hurnd & his man for takyn down
tabernacles

iiij*d.*

Jt. paid to Hempson for mending ye chymes

vii*d.*

Jt. for mending ye Porche Wyndowe

j*d.*

1549

Jt. goven in Allmes to ye ix pore folk (Alms
women)

xv*d.*

Jtm for writing of ij books for ye church
revis office

vii*d.*

Jt. for writing ij rolls of P'chement of ye
church rec. & payments

xij*d.*

Jt. for writing ij Jvitories § of the church
goods at ye commandement of ye King his
Maie com'ishoners

xvj*d.*

Jtm. paid ffor vij ynglishe salters at ijs. iiij*d.*

xvjs. iiij*d.*

Jtm. paid for ye booke of common praier ||

vjs.

Jt. to Edward molle & his Srvaunt for setting
vpp the Alter tables

xij*d.*

Jt. paid to bartlett & his man for whiting
the chancell & making vpp ye walls at ye
lowe Alter, & ye walls in the Church, for
hymself his ij men meat & wags

vs. vj*d.*

* In 1548, an order in council commanded the removal of images and superstitious objects from our churches.

† In 1547, orders were issued for keeping a bible in every church, to be read by the people, and that it should be chained to the lectern.

‡ Commanded by an order in council.

§ These inventories were made under the first commission for the survey of church goods: unfortunately no copy of the inventory is entered.

|| On 15 Jan., 1549, the first reformed book of common prayer was adopted by parliament; and in 1552, the second and more reformed one was established.—(See entry of 6s. 8*d.*, paid for the latter in 1552).

Jt. for washing y ^e Kurten before y ^e roodlofft	vjd.
Jt. for v dayes worke of Oll ^d Edwards makyng y ^e clothes to y ^e Alter of y ^e copes	xvd.
Jt. paid for y ^e cariage awaye of y ^e compasse* that came owt of the churchgate	vjd.

Receipts.

1550 Jtm. rec. of ffraunces Tib'nam ffor y ^e breking of y ^e church grownd for the buriall of M ^{res} Sone †	vjs. vijd.
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Payments.

Jt. paid to y ^e p'son of Saynet Petres, for mending y ^e organs	ijs.
Jt. paid for his borde, for glewe, & wyer	xijd.
Jt. paid for iij ynglishe salters	vs. iiijd.
Jt. paid for a quayer of paper putt in to y ^e registr book	iijd.
Jt. paid for a lock to y ^e Dore in y ^e Sowthe ele	ijd.
Jt. paid to orlowe valy & one other laborer for takyn Down of y ^e lowe Alter & for carrage of y ^e stone & morter awaye	xijd.
Jtm paid to father Denny for carriage of his wife in to Suff.	ijs.
It. paid for a pottell of Secke, goven to y ^e King's Surveyer, for his favor concernyng the church lands	vjd.
Jt. paid to bartlett & his man Pumfrett & larwood, for taken down & bering Awaye y ^e Stone & lyme of y ^e highe Alter	xijd.
Jt. paid for vj yards of brode Dornycks † for the table	vijs. iiijd.
Jt. paid to John Edwards for makyn xij books of y ^e S'vice	vs.
1551 Jt. paid to y ^e sexten for washing y ^e perk § clothes	viijd.
Jt. paid for a Key to y ^e perk dore & mending y ^e lock	vjd.
Jt. paid to edward molle for tymber for y ^e com'vnyon table, & for makyng the same	vijs

* Compost, dung, muck, soil.

† From 1550 to 1712, the names of 80 persons are recorded as being buried in the church, for each, with a few exceptions, the churchwardens received 6s. 8d.

‡ Dorneck is said to have taken its name from Dordrecht, in Flanders. Considerable quantities of this material is stated to have been made at Pulham, in Norfolk.

§ The rood loft is doubtless here meant by the "perk." At South Walsham, on the screen, is an inscription requesting the prayers of the people for (the person) who painted "yis perke."

|| This is the earliest mention of the communion table.

	Jtm paid to more of mettyng'h'm, for ij yers rent Due to ye King's mae for obbytt lands	xxxviij.s.	vij <i>d.</i> iiij <i>d.</i>
1552	Jt. for brode yncle for gyrdells for the Abbs Jt. paid to the King his Mat com'yshioners clark for waying the Church plat, and entering ye same jn to the King book		xiiij <i>d.</i>
	Jtm. paid for the new booke of Comon prayer	vj.s.	vij <i>d.</i>
1553	Jt. pd for wyne at easter for the hole parishe and for wyne and Bread for the hole yere for the com'vnyon	ix.s.	jd.

(Queen Mary).

Jt. pd for a xj bushells of lyme for makyng
the high Alter*

Jt. paid the sexton his wags at thanunciacon
of ou' blessed ladye

xx*d.*

Jt. for iijli Candell for the church wyndows
at x'pes

vj*d.*

Jt. Delyvd more to the said church revys
ye ij of Octobr, in Ao 1554, xx.s., wch was
for the bying of a newe legend †

xx.s.

Jt. Delyv'd more to the said church revys for
the legacy of christen Tybnam

xs.

The following entries amongst others, occur on some pages a little further on, which
appear to have been left open for the purpose of entering memorandums:—

Ao vjth r.r. † Edwardi sexti. Md the sencera,
the shipp, and the patten of the Chalic, wer
taken by Sr. Thom's Cornwalleis, Syr John
Jernighm Kynyghte, & Stieyn hopton, esquier,
commysioners to th' use of Kyng Edward the
vj. Sr. Thom's cornwalleis then beyng Shrief, §
and the Chalic Delyv'd agayne to ye church,
wherof ye com'vnyon cuppe was made.

Bungay.

GRAY. B. BAKER.

Sir John Odingsbells Leake, Baronet (vol. II, p. 94).—Peter Heylin's
Help to English History, edited (1773) by Paul Wright, records that "Sir
Francis Leke, knight, of Sutton, in Derbyshire, was created a (the sixth)
baronet, May 22, 1611, and Earl of Scarsdale in 1645. Both titles be-
came extinct on the death of the fourth Earl, in 1730.—B. G.

* Queen Mary being now reigning, the communion table is here discarded, and the
high altar is restored.

† The ancient ritual is here restored by Mary. A legend was a book required for
the service.

‡ Anno sexti regni regis.

§ The old form for sheriff.

RUINED AND DECAYED CHURCHES IN THE ARCHDEACONRY OF NORWICH
(VOL. II, p. 223).

- Dersingha' The Chauncell windowes being verie Large and great, are dawbed vpp verie vncomelie, by the default of Mr. Pells, fermor to the Rec'rie there.
- Geyton. The Chauncell there whollie ruynated and decaied, wch decaie haue contynued xxxtie yeares or thereabout, by the negligens of the fearmors, of the Impropriacon of the R'corie ther, from the Quenes Maiestie.
- Westacre. The Church whollie decaied and ruynated. And the prishners haue no place to heare devine service. Sr Horatio Palavazina, was Lord of ye Mannor & proprietarie of the R'corie there, & being departed, by his will gaue certaine money to the some of CCCli (as it is said) for the edifieng of a Church, for devine service. But since his death no thing is pformed, so yt the prishners, being a great Congregac'on, haue no place now convenient wher devine service maie be red, the sacraments ministred, and the word of god preached vnto them to their great grief.
- Lezeat' The Chauncell there vtterlie ruynated, and pulled downe by one Mr. Bramwell, Clark, sometye Incumbent & p'son here, without any lawfull warrant or license therunto. Mr. Bramwell departed thence, & one Mr. Smith succeeded hym. The said Chauncell was leaded, wch leade the said Bramwell employed to his owne vse, and the said Bramwell is yet lyving Curat of New Buckenham, in Norff.
- Appleton. The Steple there greatlie decaied, and ther want sufficient ornaments for devine service, the chardg of the repairs, &c., p'uisio' of them belonging to Mr. Edward Paston, Esquier, being Lord & patron there, who haue all the lands in the said towne in his occupac'on.
- Estwinche. There is a Chappell on the south part adioyning to the church and Chauncell ther, is greatly decaied and ruynated, either by the Negligence of the p'rishners, or the fearmors to the mannor of Estwinch, wch mannor sometye did belong to the lord Lattym', in wch Chappell there be diu's monuments & armes of the Lords of the mannor, the p'rishners haue bene called for the repaying of the same, but they haue alledged yt the chardg of the repaying therof do not belong to them, but to the Lords of the mannor, & their fermers, & so between them bothe the Chappell is like to fall down.

D. Lynne Marshland.

Terrington Clem'. The Church there being a faier and a great Church, is verie mutch decayed, so yt if it be not in tyme looked vnto it will fall downe, The chardge wherof belong to the prishners there, who are greatlie chardged (as they saie) wth the reparacons of their sea bancks, so yt they are not able to maintaine & repaier the same, as they saie ; But through their negligence and backwardnes it did first fall into this decaie.

D. Brisby et Toftrees.

Wesenha' Petri. The Chauncell there exeedinglie decaied by the Necligence of the proprietarie of the rectorie there, or their fermors, one Mrs. Southwell is proprietarie yrof as it is said.

Wesenha' }
sanctoru' } The Chauncell there likewise is greatlie decaied, by
Testerton. the Necligence of the proprietarie, &c.

Godwick. The Church and Chauncell decaied greatlie, by the Necligens of Mr. Hewett, pson there, and the Lord of the Mannor, wch Lord haue all the landes in his owne possession.

Pudding Norton. The Church is whollie ruynated and decaied Longe since, vnknowne by whose negligence.

Pattesby. The Church there is whollie ruinated and decaied longe since, vnknowne by whome it was pulled downe.

Pattesby. The Church there in the like sort, pulled downe long since.

D. Blowfeild.

Boyton. The Steple there is downe, But the p'rishners ther do intend to reedifie the same.

Vpton. The Steple there ruynated through the default & Necligence of the p'rishniars there long since.* The church otherwise is sufficientlie repaired and decentlie kept.

Decanat' flegg.

Caister sci' Ed'i. The Church decaied and profaned, and made a barne. Sr Will'm Paston, Knight, being lord and Patrone of the same.†

Boroughe Marie. The Church decaied, profaned, and made a Barne, by one Mr. Baker, sometyme Alderman of Norwich, and fermor or Proprietarie of the same.

* No steeple there at the present day.

† Part of the tower still standing.

Decanat' Sparha'

Weston.

The Steple latelie fallen downe, throughe the Negligence of the Inhabitaunts there, they bee men of welth, and able to build the same againe.

Decanat' de Breccles.

Karbrook.

The Chauncell there greatlie decaied, through the Negligence and default of one Mr. Edwarde Gates, fermor to the Ladie Southwell, Ladie & Patron of the church and mannor there.

Griston.

The Chauncell there greatlie decaied, by the default of Mr. Woodhouse, fearmor to the Quenes maiestie, Proprietarie of the said Church.

For and Concerninge anie other decaies and ruyns in any parish churches, Chapples, or Chauncells, wthin the said Archdeconrie, wch are not so notorious as the former, But maie be repaired, wth no great chardges or expenses; order is taken for the repaying of them by the churchwardens in eu'y p'rish where the said decaies be, and a daie p'fixd for the Amending of them, And the certifieng therof, By the wch daie, if the said decaies be not sufficientlie repaired, Certificat shalbe made to your Lordship of the p'ticuler places and decaies, according to the purport of your Lordship's Comaundement, giuen by letters from Mr. Chancellor in yr behalf.

Walterus Hawgh, Comissar, infra
Archinat' Norwici.

Michael Peade, deputatus.

Mri Thome Peade, senior, Reg'rarij.

(Endorsed)

To the right honourable and right reuerend ffather in God, William by god his devyne prouidence, lord Bishopp of Norwich.

DEMISE OF THE CHURCH OF ST. GEORGE AT TOMBLAND, NORWICH.

The Church of St. George at Tomblond, Norwich, was given to the College of Our Lady in the Chapell of the Field, by the founder, John le Brun. In 1350 Bp. Bateman appropriated it to the College, on condition they served it by a vicar or parish Chaplain. Blomefield, vol. ii, pp. 615, 745.—A.

Dimissio Sancti Georgii de Tumlande, in Norwici.

This Indenture made the fyrste daye of Auguste in the xxixth yere of the reigne of or souereyne Lorde Kinge Henry the viijth Betwyn Myles Spenser, Doctour of Lawes, Deane of the College of or blessed Ladye in the Chapell of the felde, in the Cyte of Norwyche, And the chanons of the same place, propeteryes and persons of the paryshe church and parsonage of Saynete George of Tumlonde, in Norwyche, on thone parte, And Ely Jermey, of Norwyche aforsayd Wedowe, Thomas Bathcom, of Norwyche, gravor, John Kevell, of Norwyche, Grocer, Henry Pygge, of Norwyche, Barbor, John Pye, of Norwyche, cordewayner, and Wyl'm Spratt, of Norwyche aforsayd, vintener, on the other parte, Wyttenssethe that the sayde Dean and Chanons by ther owne assente, consente, and free wyll,

for the some of viij^{li}. of lawful Englyshe money to them by the sayde Ele, Thomas, John Kevell, Henrye Pygge, John Pye, and Wyll'm, Truly contente and paye to th'use commodyte and profet of the sayed howse or chapell in the felde, in releve and towarde the maytaynce and manyfolde vrgent and necessarye charges, whyche be nowe occurrent and sustened yerelye, and for aquyetnes, peace, and vnyte, to be obs'ed, hade, and kepte among the parysheners of saynte George aforsayde, and for other honest and laudable consyderacons, and reasonable causys, movynge bothe parties, have Demysed, graunted, and to ferme letten, and by the presentes Done, Dymyse, graunte, and to ferme, lette, to the sayde Ele, Thomas, John, Henry, John Pye, and Wyll'm, to theyr executors, adm'trator and assignes, all that ther sayed paryshe church or parsonage wythe thappurten'nces, together wythe all maner of tythes, oblacons, obvens'ons, devoc'ons, emolumentes, and other commodytyes what so ever thaye be, to the sayde paryshe church or parsonage apperteynyng or belongynge, or in any wyse hereafter of ryghte or Dutye that shall Duryng the terme hereafter specyfyed apperteyne or belonge. To have and to holde the sayed paryshe church and parsonage, wythe all and syngular the premys vnto the sayed Ele, Thomas, John, Henry, John Pye, and Wyll'm Spratte, theyr executors and assignes, from the feaste of Estre last pased before the date of these presentes vnto th'ende and tearme of three score yeres, then next folowynge, to be complete and ended, yeldynge and paynge therfor yerlye to the sayed Deane and Chan'ons and ther Successors Duryng the sayde tearme, the some of iij^s. iiij^d. of lawfull Englyshe mo'ye at the yerely feaste of Eastre, and also fyndynge a suffyciente and an able secular pryste to serve the cure yerelye Duryng the sayed terme of three score yeres in the sayde paryshe church, to mynystre all sacramentes and sacramentalls to the paryssyoners and inhabytantes in the sayde paryshe, at the proper costes and charges of the sayed Ele, Thomas, John, Henrye, John Pye, and Wyll'm, theyr executors or assignes. And also fyndynge, mayntenynge, and sustenyng reparac'ons of the chauncell of the sayde paryshe church, in good and suffycient reparac'ons at the proper costes and charges of the sayed Ele, Thomas, John, Henrye, John Pye, and Wyll'm Sprotte, ther executors and assignes, Duryng all the sayde tearme, and in thende of the terme of the same yeres to leve the sayde channcell suffycientlye repared. And yf yt fortune the sayde yerely rente or ferme of iij^s. iiij^d. to be behynde and vnpayed in parte or in all Duryng the sayed terme at any feast whyche yt ought to be payde or wythin one monythe next ensuyng the yerely feast of Easter, Then yt shall be lawfull to the sayde Dean and Chanons, and ther successors, into the sayed peryshe church, parsonage, and other the premys, & to reentre and the same to inoye and repossese in ther former and full estate any thynge [in] thys presente Indentures to the contrary not wythstondynge. And the sayde Deane and Chanons for them and ther successors coven'ten and graunted to and wythe the sayde Ele, Thomas, John, Henrye, John Pye, and Wyll'm, and ther executors and assignes, that thaye the same Dean and Chanons, shall yerely paye or casve to be payde to the Kyng or soverayn Lorde, and to the Busshoppe of Norwyche, and to the Arche-

dyacon of the same, all maner of charges, wherwythe or where vnto the sayde parsonage or paryshe church ys or shalbe charged Durynge all the sayde terme. And shall also parmytte and suffer the sayed Ele, Thomas, John, Henrye, John Pye, and Wyll'm Sprotte, ther executors and assignes, quyetlye to perceyve, receyve, and take Durynge the sayde terme all maner of profetts, com'odyties, tythes, and emolumentes, whyche shall happen wthin the sayde terme, tobelonge or apparteyne by any maner of men to the sayde paryshe church or parsonage. And also shall maynteyne, advowe, pursue, and folowe wythe effecte, all suche lafull acc'yon or acc'ons whyche the sayde Ele, Thomas, John, Henry, John Pye, and Wyll'm Sprotte, theyr executors, admynstrators, or assignes, shall co'mense sue, or begyn, agaynste any parson or parsons, ayther in sp'uall or temporall coorte, for any maner of lawfull cavse, or cavses, act or actes, for the recoverye or obteynyng of any some of monye of ryght or Dutye belongynge to the sayde church, at the costes and charges only of the sayde farmors and p'ysshoners. And that theye the sayde Deane and Chanons, and ther successors, shalnot from hensforthe Duryng the sayde terme, make any acqytance, release, or other dyscharge, to any parson or parsons, for any some of monye, Debte, Dutye, or profeght, belongynge to the sayed parysh church and parsonage, nor Doo any acte or actes, or cavse to be Done, by none sute dyscontynnce or other wayes wherby the sayde acc'ons or sutes, shall or maye be in any wyse abated, extente, or other wyse hyndered, oules yt be by the assente, free wyll, and agrement of the sayde Ele, Thomas, John, Henrye, John, and Wyll'm, ther executors, admynstrators, or assignas. In Wyttenes wherof to one parte of thys presente Indentours remayny'ge wythe the sayde Ele, Thomas, John, Henry, John, and Wyll'm Sprotte, the sayde Dean and Chanons have put ther com'on seall, and to the other parte of the sayde Indentures remaynyng wythe the sayde Dean and Chanons, the sayde Ele Jermy, Thomas Bathcom, John Revell, Henry Pygge, John Pye, and Wyll'm Sprotte, have put ther seales. Dated in the chaptre House, at the sayed chapell of the felde, the date and yere abouesayd.

Per me, Milonem Spenser.

FAMILY OF DOVE (VOL. II., p. 204).

Frances, wife of Thomas Dove, of Upton, was, I conceive, daughter of *Henry Beke* of Castle Acre, and *sister* of William Beke, on whose death intestate and without issue, she as co-heiress with her sister Ann, widow of Edmund West of Masworth, Bucks, inherited his estates. William Dove of Upton, is described in 1684, as only son and heir of Frances, and was then one of the co-heirs of the Beke property. A daughter, Diana, of William Dove and Edith his wife, was baptised at Castle Acre, Sept. 23, 1703. Thomas Dove was his son and heir. — G. A. C.

Scole Inn (vol. II, p. 226).—Derived its name from the parish in which it stood. An engraving of its "quaint sign" may be found in *Armstrong's Norfolk*, vol. ii., p. 144.

THOMAS WALLER, SERJEANT AT LAW.

Roger North, that quaint and entertaining biographer, makes mention of old Serjeant Waller, a great book lawyer, who was called "Index," and to whom "people went for his opinion, only to bring away a list of quotations to assist other counsel that understood better."*

The person alluded to was Thomas Waller, third son of Thomas Waller, Esq., of Gregories, in Beaconsfield, one of the prothonatories of the Court of Common Pleas, by Dorothy, daughter of William Gerard, of Harrow-on-the-Hill.† He was a member of Gray's Inn, and it is said that at one period he was Clerk of Assize for Buckinghamshire ‡ He and Sir Thomas Roe, the eminent diplomatist, were returned to the Long Parliament for New Windsor, by the mayor and special officers. This return was, however, set aside, it being resolved that the right of election was in all the inhabitants, and they subsequently returned Cornelius Holland (who became one of the king's judges), and William Taylor.§ Mr Taylor was on the 27 May, 1641, expelled the House and sent to the Tower for speaking out of the House against the bill for the attainder of the Earl of Strafford; Mr. Waller was one of the witnesses examined against him.|| At this period he occurs as Understeward of Windsor. The date of his appointment does not appear, but there seems to have been a feast on the occasion, he giving the venison.¶ Another person held the office in November, 1643.**

By an ordinance of parliament, passed 8 Oct., 1647, he was appointed Steward of the Isle of Ely.†† About 1648, he was returned to the Long Parliament for Bodmin, in the room of John Arundell, Esq., deceased.‡‡

* North's *Lives of the Norths*, ed. 1826, p. 24.

† Blomefield's *Norfolk*, vol. iv., pp. 195, 515; Lipscomb's *Bucks*, vol. iii., p. 182.

‡ Lipscomb, vol. iii., p. 182.

§ *Commons Journals*, vol. ii., p. 47; Willis's *Not. Parl.*, vol. iii. (2), p. 240; Tighe and Davis's *Annals of Windsor*, vol. ii., p. 147, seq.; *Parl. Hist.*, vol. ix., p. 15*. Willis is inaccurate as respects Mr. Waller's name and otherwise. Here it may be noted that Messrs. Tighe and Davis state that Sir Thomas Roe died in 1664; he died 6 Nov., 1644.—(See *Letters of George, Lord Carew, to Sir Thomas Roe*, ed. Maclean, p. 13.) Sir Thomas Roe was also returned to the Long Parliament for the University of Oxford.

|| *Commons Journals*, vol. ii., p. 158. The successor of Mr. Taylor in the representation of Windsor, was Richard Bulstrode. Messrs. Tighe and Davis mention (vol. ii., p. 158) mention Mr. Waller as one of the members for Windsor, in Sept. 1641, but the person referred to was Edmund Waller, the poet, who sat in the Long Parliament for St. Ives, in Cornwall, and not, as Dr. Johnson states for Agmondesham.

¶ Tighe and Davis, vol. ii., pp. 154-156.

** *Ibid.*, p. 159.

†† *North's Journals*, vol. ix., p. 469; *Commons Journals*, vol. v., p. 329.

‡‡ Persons elected to supply occasional vacancies in the House, were at that period commonly designated *recruiters*. Mr. Arundell and Anthony Nicoll, Esq., were the members originally returned for Bodmin; They were both disabled by vote, the former 22 Jan., 1643-4, and the latter 27 Jan., 1647-8. On 8 Dec., 1647, the House ordered a new writ, *vice* Arundell, but the writ did not issue. On 2 March, 1647-8, a new writ was ordered to elect two burgesses for Bodmin, *vice* Arundell then deceased, and Nicoll disabled. We suppose Mr. Nicoll was re-chosen, as the order disabling him was revoked 8 June, 1648.

On 24 Nov., 1648, the parliament passed another ordinance, constituting him Steward and Justice of the Court of Pleas for Isle of Ely, quam diu bene se gesserit *. He was one of the majority who supported the resolution of 5 December, 1648, that the king's answers to the resolutions of both Houses were a ground for the House to proceed upon for the settlement of the peace of the kingdom, and on the following day he was forcibly excluded from the House by the soldiery.† The House of Commons on 23 Feb., 1648-9, passed a resolution to repeal the ordinance, constituting him Steward and Justice of the Isle of Ely, directing Col. Wauton to bring in an ordinance to that purpose.‡

On the trial of Christopher Love for high treason, in 1651, Mr. Waller was one of the counsel assigned on matters of law on the prisoner's behalf. His name is set to the exceptions, but he was not permitted to argue them, as he had not taken and would not take the engagement.§

He purchased the manor of Earham, in the county of the city of Norwich, in or soon after 1657.||

In December, 1658, Richard Cromwell summoned a parliament for England, Scotland, and Ireland. Mr. Waller was returned for the burghs of Linlithgow, Queen's Ferry, Perth, Culross, and Stirling, and also for the counties of Sligo, Roscommon, and Leitrim.¶ On 3 Feb., 1658-9, he was created Serjeant at Law.** He was ordinarily in the chair of the committee of elections and privileges, during Richard Cromwell's parliament. He was also named on a committee touching the affairs of Scotland, and he made a speech against the motion for turning out the Scotch members. On 8 April, 1659, he obtained leave to go into the country for a month, in regard of his indisposition of health.†† Before that month expired, the parliament was dissolved.

* *Lords Journals*, vol. x., p. 602; *Commons Journals*, vol. vi., pp. 69, 84, 86.

† *Parl. Hist.*, vol. xvii., pp. 463, 471; *Commons Journals*, vol. vi., p. 90. Strictly speaking, the above resolution was carried *nem. con.*, the division taking place on the previous question.

‡ *Commons Journals*, vol. vi., p. 150. We find no further mention of the repealing ordinance, but it seems probable that he lost the office at or about this period.

§ *Howell's State Trials*, vol. v., pp. 206, 210, 211.

|| *Blomefield's Norfolk*, vol. iv., p. 611.

¶ *Willis's Not. Parl.*, vol. iii. (2) pp. 298, 300; *Parl. Hist.*, vol. xxi., pp. 261, 262.

** *Burton's Diary*, vol. iii., pp. 45, 50. See *Foss's Judges of England*, vol. vi., p. 413. He is called Serjeant in the journals of the House, on the 28th January, having no doubt then received his writ.

†† *Commons Journals*, vol. vii., pp. 594, 596, 601, 605, 611, 617-620, 623, 631; *Burton's Diary*, vol. iii., pp. 20-23, 45, 50, 84, 152, 238, 348, 351, 369, 426, 501, 502, 544, 578; vol. iv., pp. 42, 45, 112, 143, 202, 223, 235, 250, 254, 318. On one occasion he "stood up without making three congees, and before a member, when he was speaking." Two members "moved that the orders be preserved and that he do his congees." Another, "moved that he had done his duty." Soon afterwards, on the same day, he reported from the committee of privileges as to the election for Reading, and "it was called to him to go to the bar and make his legs." A member moved "that he come up with his three legs," and we are told "this he did accordingly, and delivered his report on the left side of the table." On the subject of the congees or legs, it may be mentioned that in 1620 the speaker was told that he was too courteous, for that he put off his hat too often, he should not move it until the third congee.

His name does not occur amongst those surviving members of the Long Parliament who assembled 7 May, 1659. Whether he voluntarily absented himself, or was amongst the number of those who were kept out by force, is unknown. However, he was permitted to sit on 27 December following; * and on 17 March, 1659-60, the parliament appointed him Chief Justice of Chester, and Justice of the counties of Denbigh, Montgomery, and Flint, to hold the same so long as he demeaned himself well.† At the restoration, he lost this office, which was conferred on Sir Geoffrey Palmer, the Attorney-General, but he was one of the fifteen Serjeants at Law, who, having been called during the Commonwealth, were again admitted to that dignity, on 22 June, 1660.‡

It appears that he had considerable private practice, especially in matters connected with real property, and it is not unlikely that he was one of the "Cocks of the Circuit," to whom Roger North alludes.

His death occurred 13 June, 1682, æt. 72, and he was buried at Earham. Near the altar, in the church of that parish, is a monument commemorating him and his wife Elizabeth, daughter of Gresham Hogan, Esq., of Hackney.§ She died 27 Feb., 1698-9, æt. 83.

His children were:—Thomas, who died 30 March, 1666, æt. 27, and was buried at Earham. William, who died 20 Oct., 1647, aged 4, and was buried at St. Peter Mancroft, Norwich. Elizabeth, wife of Francis Bacon, Esq.|| Ann, who died 26 July, 1637, and was buried at Horstead, Norfolk. Dorothy, who died 19 Oct., 1645, aged 9 months, and was buried at St. Peter Mancroft.¶

His grandson, Waller Bacon, Esq., who eventually succeeded to the Earham estate, was M.P. for Norwich in 1704 and 1707, and from 1714 till his death in November, 1734. His portrait at Earham hall was etched by W. C. Edwards, in 1840.

Cambridge.

C. H. & THOMPSON COOPER.

Family of Day (vol. II, p. 220).—In Mr Day's epitaph, Scoulron should be Scoulton, and præstitit præstitit.—(Blomefield's *Norfolk*, vol. x., p. 327).

Mr. Day's mother was Barbara, daughter of Philip Calthorpe, Esq., of Gressenhall, a connection of the Le Strange family.

Mr. Day's name appears in a list of non-jurors.

Some account of the Days of Scoulton, may be found in Blomefield, vol. II, p. 348.—B. G.

* *Parl. Hist.*, vol. xxii., p. 30.

† *Commons Journals*, vol. vii., p. 875. He is not in the list of Justices of Chester, given in Ormerod's *Cheshire*.

‡ *Foss's Judges of England*, vol. vii., p. 29.

§ "Qui fuit de stirpe Hoganorum de East Bradenham, in Com. Norf."—Blomefield's *Norfolk*, vol. iv., p. 196.

|| Mr. Bacon died 3 Aug., 1679. One of the name was M.P. for Ipswich and Master of Requests to Oliver and Richard Cromwell.

¶ Blomefield's *Norfolk*, vol. iv., pp. 196, 616; vol. x., p. 445.